

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 23RD NOVEMBER 2007 / 2ND AGRAHAYANA 1929

WP(C).No. 11622 of 2004(H)

PETITIONER:

M/S.SIMCO RUBBERS, CHINGAVANAM,
REPRESENTED BY ITS PARTNER, P.S.ISMAIL

BY ADV. SRI.LIJI.J.VADAKEDOM

RESPONDENTS:

1. THE ASST.REGIONAL PROVIDENT COMMISSIONER
SUB REGIONAL OFFICE, CHARAKKUZHY BUILDING,
C.M.S. COLLEGE ROAD, P.B.NO.36, KOTTAYAM.
2. THE ENFORCEMENT OFFICER, SUB REGIONAL
OFFICE, OFFICE OF THE REGIONAL PROVIDENT FUND
COMMISSIONER, CHARAKKUZHY BUILDINGS,
C.M.S.COLLEGE ROAD, P.B.NO.36, KOTTAYAM.

BY ADV. SRI.N.N. SUGUNAPALAN, SC, P.F.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 23/11/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX IN W.P(C) 11622/04

PETITIONER'S EXTS:

EXT.P1: TRUE COPY OF THE ORDER DT. 15.12.2003 PASSED BY THE 1ST
RESPONDENT UNDER SEC. 14 OF THE EPF & MP ACT

EXT.P2: -DO- OF THE REVIEW PETITION NO: KR/KTM/3718/PD/ENF 1(6)/2003
DT.12.2.2004

EXT.P3: -DO- OF THE ORDER DT. 25.2.2004 PASSED BY THE 1ST RESPONDENT
REJECTING THE REVIEW PETITION FILED BY THE PETITIONER

EXT.P4: DO- OF THE JUDGMENT DT. 12.6.2003 IN O.P. 8780/03

jj

/TRUE COPY/

P.A. TO JUDGE

KURIAN JOSEPH, J.

W.P.(C) NO. 11622 OF 2004

Dated this the 23rd day of November, 2007.

J U D G M E N T

The main grievance of the petitioner is that Exhibit P2 review petition filed by the petitioner under Section 7B of the Employees' Provident Funds and Miscellaneous Provisions Act has been dismissed without notice to the petitioner. Being a statutory review, the petitioner should have been issued notice.

2. I quash Exhibit P3 with a direction to the first respondent to consider Exhibit P2 with notice to the petitioner and pass appropriate orders in accordance with law adverting to the contentions taken by the petitioner, within a period of four months.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp